

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-7 are currently pending. Claims 1, 2, 5, and 7 have been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claim 1 was rejected under 35 U.S.C. § 102(a) as being unpatentable over U.S. Patent No. 5,996,021 to Civanlar et al. (hereinafter “the ‘021 patent”); Claims 2-4 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form; and Claims 5-7 were allowed.

Amended Claim 1 is directed to a process for relaying IP frames as PDU application frames within an ATM switch with a distributed architecture and egress storage, the ATM switch comprising a management module and plural ingress and egress junctors, the management module having a routing emulation function configured to perform IP frame routing between users of ELAN media, wherein each of the ELAN media is represented by a router LEC module, the process comprising: (1) offloading a frame relay function into an ATM layer of the junctors by (a) examining a first cell of a PDU application frame arriving at an ingress junctor to extract therefrom an IP address of a destination of the PDU application frame, (b) obtaining a first translation by searching in a cache table of the ingress junctor for a logical path in an outbound direction opposite the IP address and opposite an ingress logical path, and (c) using the first translation for all cells of the PDU application frame, the cache table being updated by routing information originating from the routing emulation function residing in the management module; and (2) transmitting the request to update the cache table to the management module if the IP address is not located in the cache table. Claim 1 has been amended for the purposes of clarification only, and no new matter has been added.

The '021 patent is directed to an internetwork relay system and method for transmitting IP traffic including an edge and a core, wherein the edge includes ingress and egress routers and the core includes a switch network. Further, the '021 patent discloses that an ingress router (e.g., IP Relay Router IPPR 110) communicates with and receives an IP packet from a source network, and attaches to each IP packet a globally unique label, which is used to forward the IP packet across the network. In addition, the '021 patent discloses that the core is comprised of IP Relay Switches IPRS 120-123, which may be, e.g., ATM switches. Regarding these IPRS switches, the '021 patent discloses that "IPRS 120 reads the label and forwards the IP packet to IPRS 122 based on information stored in a forwarding table at IPRS 120 corresponding to egress IPRR 113. IPRS 122 also reads the label and forwards the IP packet to egress IPRR 113 based on information stored in its forwarding table corresponding to egress IPRR 113. Egress IPRR 113 receives the IP packet, performs Layer 3 processing to reassemble the packet, and forwards it through LAN 103 to destination host 95."<sup>1</sup>

However, Applicants respectfully submit that the '021 patent fails to disclose the step of offloading a frame relay function into an ATM layer of the junctors by (1) examining a first cell of a PDU application frame to extract an IP address; (2) obtaining a first translation by searching in a cache table of the ingress junction for a logical path in an outbound direction opposite the IP address and opposite an ingress logical path; and (3) using the first translation for all cells of the PDU application frame, as recited in amended Claim 1.<sup>2</sup> Further, Applicants note that page 5 of the outstanding Office Action states that "a frame relay function that is offloaded into the ATM layer of junctors that include cache tables

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<sup>1</sup> '021 patent, column 7, lines 38-47.

<sup>2</sup> Applicants note that the Office Action fails to identify with particularity how the '021 patent reads on the claimed limitations. In particular, Applicants note that pages 2 and 3 of the Office Action dated February 19, 2004, are devoted to a detailed analysis of the '021 patent. Following this analysis, however, the Office Action merely concludes that "[t]herefore, the method disclosed by Civanlar comprises all limitations as recited in Claim 1."

within the ATM switch' has not been given patentable weight because the recitation occurs in the preamble."<sup>3</sup> However, Applicants respectfully submit that this limitation is not recited in the preamble of Claim 1, but rather in the body of Claim 1. In particular, the first step of Claim 1 recites "offloading a frame relay function into an ATM layer of the junctors" and proceeds to identify three substeps of this offloading step.

In addition, Applicants note that the '021 patent discloses a system in which a globally unique label is attached to an IP packet such that the relay switches read the label and forward the IP packet based on the label information and information stored in a forwarding table. Accordingly, Applicants respectfully submit that the '021 system would not have a need to obtain a first translation by searching a cache table of an ingress junction for a logical path in an outbound direction opposite the IP address and opposite an ingress logical path, as recited in amended Claim 1. Accordingly, for all of the above reasons, Applicants respectfully traverse the rejection of Claim 1 as anticipated by the '021 patent.

Thus, it is respectfully submitted that independent Claim 1 patentably defines over the '021 patent.

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<sup>3</sup>Page 5 of the Office Action dated February 19, 2004.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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